

No.A5/9365/2016/TC

**//ACTION TODAY//PERSONAL ATTENTION//**

Telephone No.0471-2333314

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DEPARTMENT OF MOTOR VEHICLES

OFFICE OF THE TRANSPORT COMMISSIONER

TRANS TOWER, VAZHUTHACAUD

THYCAUD P.O., THIRUVANANTHAPURAM-695014

DATED: 18/05/2016

From

The Transport Commissioner

To

1. All Deputy Transport Commissioners
2. All Regional Transport Officers
3. The Joint Regional Transport Officers of all Sub Regional Transport Offices

Sir,

Sub:- MV Department – Estt – Threatened strike by a section of employees of the Motor Vehicles Department by unauthorisedly availing Casual Leave – Report called for - regarding

I am to request you to furnish by return the name(s), designation of officials with present station, who entered on strike unauthorisedly by availing Casual Leave on 17/05/2016, by return.

In this connection I am to draw your personal attention of Rule 77 (b) (2) of Kerala Government Servants' Conduct Rules 1960 wherein it has been stipulated that "The Service Organizations shall not resort to any strike or threat of strike as a means of achieving any of its purposes or for any other reason". Rule 3 in Appendix VII of Part I, K.S.Rs. insist that "An officer requiring casual leave should take the orders of the head of his office for such absence. When the head of an office requires casual leave, he may take the leave and report the fact to his immediate superior authority. Heads of Departments should intimate their intention of taking casual leave to Government in the department concerned. In cases in which the casual leave is intended to be spent outside the jurisdiction of the officer, the previous sanction of the competent authority should be obtained". Rule 65 of Part I, K.S.Rs mentioned that "Leave cannot be claimed as a matter of right. When the exigencies of the public service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it. The nature of the leave due and applied for by an officer cannot be altered at the option of the sanctioning authority and while it is open to the sanctioning authority to refuse or revoke the leave due and applied for, it is not open to him to alter the nature of such leave".

The above mentioned rule position clearly depicting that unauthorized absence of an employee/availing Casual Leave by himself unauthorisedly as part of participation in the strike will attract penal action under the relevant disciplinary rules.

I am, therefore, to request you to furnish the details of unauthorized absentees/unauthorized availing of Casual Leave for participation in the strike by any employees working under your administrative control by return positively. Failure to furnish the details will tantamount to attract penal action against the Head of Offices/Controlling Officers concerned.

Yours faithfully,

Sd/-

**TOMIN J. THACHANKARY, I.P.S.**  
**TRANSPORT COMMISSIONER**

Approved for Issue

  
19/5/2016  
Senior Superintendent